

**REPRESENTATIVE STEPHEN F. LYNCH
STATEMENT
SUBCOMMITTEE ON REGULATORY AFFAIRS
HEARING ON
THE PAPERWORK REDUCTION ACT AT 25: OPPORTUNITIES TO
STRENGTHEN AND IMPROVE THE LAW
MARCH 8, 2006**

I am happy to support the efforts of this committee to reauthorize and improve the Paperwork Reduction Act and the ultimate goal of making government paperwork less complex and more efficient.

It is beyond argument that the promise of democracy, the fullness of individual rights, and the ideal of equal protection under the law for all citizens can never be attained if the communications which seek to carry out the law are drafted in such a way that their meaning and object remain a mystery after being read.

The tax code, which applies to every working soul in America regardless of their education, is today written in a style and language that is not dissimilar to the technical specifications for the Space Shuttle. It is no surprise that the IRS accounts for 80% of the governmentwide paperwork burden.

Many other government forms that are central to the basic rights of our citizens also, by their sheer volume and complexity, place too big a burden on the citizens trying to complete them.

I think the Commission to Gov. Alfred E. Smith on Government Reorganization said it best.

"DEMOCRACY DOES NOT MERELY MEAN PERIODIC ELECTIONS. IT (ALSO) MEANS A GOVERNMENT HELD ACCOUNTABLE TO THE PEOPLE BETWEEN ELECTIONS. AND IN ORDER TO HOLD THEIR GOVERNMENT TO ACCOUNT THEY MUST HAVE A GOVERNMENT THEY CAN UNDERSTAND."

When Americans are required by the government to fill out forms, they should be able to do so without spending unnecessary hours trying to understand and complete the form.

We will hear a lot today about the paperwork burden- the estimate of how many hours Americans spend every year filling out government forms. OMB estimates that the current paperwork burden is almost 10.5 billion hours.

OMB says that number may be somewhat inflated because of adjustments being made to some IRS forms. But clearly, the paperwork burden is significantly higher than just six years ago. In fiscal year 2000, the paperwork burden was 7.4 billion hours.

However, it is misleading to only talk about information collections in terms of "burden." Agencies collect information for a variety of purposes and many information collections provide agencies and the public with extremely valuable information.

Here are just a few examples:

FDA requires drug manufacturers to list warnings and other safety information on prescription drug labels.

The Bureau of Customs and Border Protection's requires ships to provide cargo manifest information 24 hours before loading cargo bound for a U.S. port. Based on that information, Customs can refuse to allow high risk cargo into the U.S.

The Mine Safety and Health Administration requires mine operators to keep records of miners' exposure to toxic chemicals. Miners then have the right to get copies of that information.

It is the role of government to balance the power of commercial interests against the public's right to have access to information.

Unfortunately, burden reduction is sometimes used to rationalize efforts to weaken public health and safety protections. One recent example of this is EPA's proposed changes to the Toxics Release Inventory program. Last September, EPA proposed a rule that would allow thousands of facilities to avoid disclosing virtually all details about the toxic chemicals they are releasing.

EPA's rationale for this proposal is that it would reduce the time industry has to spend filling out Toxics Release Inventory forms. EPA's own analysis found that the proposed rule would only save facilities an average of 20 hours per year- in monetary terms, about \$2.50 per day. Yet, under EPA's proposal, as many as 10 percent of communities that currently have a facility reporting under the Toxics Release Inventory could lose all data about local toxic chemical releases.

Agencies should find ways to reduce the burden of filling out paperwork. The key is to find ways to make reporting easier and less time consuming without sacrificing the quality of the information collected.

One good example is a recent effort by the IRS to make some of its tax forms easier to understand so that the forms will take less time to complete. As any taxpayer knows, there is a lot more we should do to simplify the process of filing taxes.

I look forward to working with Chairman Miller and Chairman Davis on reauthorizing the Paperwork Reduction Act. I believe we can work together on bipartisan legislation that makes improvements on the Paperwork Reduction Act without controversial provisions aimed at slowing down and weakening the regulatory process.

We have some very distinguished witnesses joining us today. Thank you for joining us and I look forward to hearing your thoughts.